

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

Form 26. Notice of Delay

Instructions for this form: <http://www.ca9.uscourts.gov/forms/form26instructions.pdf>

9th Cir. Case Number(s) Consolidated Cases, No. 21-15696 & No. 22-15523

Case Name Daniel Gonzalez v Department of Real Estate, Jeff Davi, et al.

Name(s) of party or parties filing this notice:

Petitioner, Appellant, and Plaintiff Daniel E. Gonzalez

I am notifying the court that this appeal or petition has been pending before the court for a period in excess of that set forth below:

- A motion has been pending for longer than 4 months.
- The parties have not received notice of oral argument or submission on the briefs within 15 months after the completion of briefing.
- A decision on the merits has not been issued within 9 months after submission.
- The mandate has not issued within 28 days after the time to file a petition for rehearing has expired.
- A petition for rehearing has been pending for longer than 6 months.
- Other (*describe the nature of the delay*):

On Feb. 28, 2023, I filed a "Motion to Appoint an Attorney" (Dkt. No. 37) so these appeals challenge Chevron deference. On June 14, 2023, the panel Stayed these appeals until determination of appointing counsel. It is now 5 months since the Motion filed requiring a decision immediately on appointment of counsel pro bono. The delay is prejudicial and discriminatory. Injunctive relief is mandated by the doctrines of res judicata, judicial estoppel, equitable estoppel, or unconstitutional animus.

Signature Daniel Gonzalez

Date July 25, 2023

(use "s/[typed name]" to sign electronically-filed documents)

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov